

AGENDA
(Revised 7-14-2011)

CONNECTICUT MEDICAL EXAMINING BOARD
Tuesday, July 19, 2011 at 1:30 PM

Legislative Office Building
300 Capitol Avenue, Hartford Connecticut
Conference Room 1-A

CALL TO ORDER

I. APPROVAL OF MINUTES

June 21, 2011

II. UPDATES

- A. Chair Updates
- B. Information Updates
Department of Public Health

III. OLD BUSINESS

Charles Ray Jones, MD v. Connecticut Medical Examining Board (CV10-6004778-S)
Tanya DeMattia, Assistant Attorney General

IV. NEW BUSINESS

- A. Oral Argument - Proposed Memorandum of Decision
David Lastomirsky, MD - Petition No. 2008-0606-001-100
- B. Chiman Patel, MD – Petition No. 2011-296
Respondent Motion to Rescind Summary

V. LEGAL OFFICE BUSINESS

- A. Mark Anderson, MD – Petition No. 2009-20091433
Request for Modification of Consent Order – Matthew Antonetti, Principal Attorney, DPH

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of June 21, 2011**

The Connecticut Medical Examining Board held a meeting on Tuesday, June 21, 2011 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in conference room 470-A/B.

BOARD MEMBERS PRESENT:

Anne Doremus, Chairperson
Raymond Andrews, Jr., Esq.
Douglas Fellows, MD
David M. Goldenberg, MD
Jeffrey A. Gordon, MD
Robert Green, MD
Rabbi Dov Greer
Henry Jacobs, MD
Michael Lindberg, MD
Patricia Loving, PA
Edward McAnaney, Esq.
Daniel Rissi, MD
C. Steven Wolf, MD

BOARD MEMBERS ABSENT

Howard Sadinsky, DO

Ms. Doremus called the meeting to order at 1:30 p.m.

I. NEW BUSINESS

Proposed Memorandum of Decision

Ven Hsu, MD - Petition No. 2010-5672

Principal Attorney Matthew Antonetti was present for the Department of Public Health. Dr. Hsu was not present or represented.

Dr. Green made a motion, seconded by Dr. Lindberg, to adopt the Memorandum of Decision. The motion passed with all in favor except Dr. Gordon and Mr. Andrews who abstained. Ms. Doremus signed the Order revoking Dr. Hsu's license.

II. MINUTES

The draft minutes of the April 19, 2011 meeting were reviewed. Dr. Bridburg made a motion, seconded by Dr. Wolf, to approve the minutes. The motion passed.

III. UPDATES

A. Chair Updates

Mr. Andrews, Dr. Gordon and Mr. McAnaney were welcomed to their first meeting as members of the Board.

The following information was reviewed:

1. Monthly tracking of pending cases.
2. Hearing assignments.
3. Superior Court dismissal of an appeal filed by Randy Hassen, MD
4. Appellate Court Opinion upholding a Superior Court decision regarding the Board's Memorandum of Decision pertaining to Charles Jones, MD.

B. Department of Public Health

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigation reported on legislation which passed during the 2011 session.

IV. NEW BUSINESS cont.

Proposed Memorandum of Decision

Bernard Raxlen, MD - Petition No. 2003-1216-001-286

Staff Attorney David Tilles was present for the Department of Public Health. Attorney Heidi Cilano was present on behalf of Dr. Raxlen.

Dr. Lindberg made a motion, seconded by Mr. McAnaney, to adopt the Memorandum of Decision dismissing the charges against Dr. Raxlen. The motion passed unanimously. Ms. Doremus signed the Order.

Department of Public Health Request for Modification of Memorandum of Decision

Clifford Berken, MD – Petition No. 2008-1208-001-244

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. Principal Attorney Matthew Antonetti was present on behalf of the Department of Public Health. Neither respondent nor his attorney was present.

The Board reviewed the Department's request to modify a Memorandum of Decision issued by the Board on April 21, 2011. The Board also reviewed respondent's written response to the request. Dr. Wolf, who chaired the hearing panel in this matter, expressed the view of the hearing panel. Dr. Wolf made a motion, seconded by Dr. Green, to deny the Department's request for reconsideration.

V. LEGAL OFFICE BUSINESS

A. Harold Beam, MD – Petition No. 2010-5010

Matthew Antonetti, Principal Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Harold Beam, MD. Respondent was present with counsel.

Dr. Goldenberg made a motion, seconded by Dr. Lindberg, to approve the Consent Order which imposes a \$10,000.00 civil penalty and a reprimand. The motion passed with all in favor except Ms. Doremus who was opposed and Dr. Gordon who abstained. Ms. Doremus signed the Order.

B. David Heimbinder, MD – Petition No. 2010-5787

Matthew Antonetti, Principal Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of David Heimbinder, MD. Attorney Christine Robinson was on behalf of respondent.

Dr. Jacobs made a motion, seconded by Ms. Loving, to approve the Consent Order which imposes a \$5,000.00 civil penalty. The motion passed with all in favor except Dr. Rissi who was opposed. Ms. Doremus signed the Order.

C. Rabindranath Mahabir, MD – Petition Nos. 2008-200860, 2008-2008106, 2009-2009160

David Tilles, Staff Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Rabindranath Mahabir, MD. Attorney Andrew Pianka was present on behalf of respondent.

Dr. Goldenberg made a motion, seconded by Dr. Lindberg, to reject the Consent Order and have this case proceed to hearing. The motion passed with all in favor except Rabbi Greer who abstained.

D. Amy O'Donnell, MD – Petition No. 2011-25

Matthew Antonetti, Principal Attorney, Legal Office, Department of Public Health, presented a Consent Order in the matter of Amy O'Donnell, MD. Attorney Hilary Fisher Nelson was present with respondent.

Dr. Goldenberg made a motion, seconded by Dr. Green, to reject the Consent Order and have this case proceed to hearing. The motion passed with all in favor except Dr. Jacobs and Dr. Lindberg who were opposed and Ms. Loving who abstained.

E. Chiman Patel, MD – Petition No. 2011-296

Matthew Antonetti, Principal Attorney, Department of Public Health, presented a Motion for Summary Suspension in the matter of Chiman Patel, MD. Respondent was present with Attorney Richard Tynan.

Hearing Officer Joanne V. Yandow, Esq. was present to provide counsel to the Board.

Attorney Antonetti provided information in support of the Motion for Summary Suspension.

Attorney Tynan spoke in opposition

Dr. Goldenberg made a motion, seconded by Dr. Fellows, that the Board not review a DVD offered by the Department. The motion passed with Dr. Wolf, Dr. Green, Dr. Goldenberg, Dr. Fellows, Dr. Jacobs, Dr. Lindberg and Mr. McAnaney voting in favor of the motion.

Dr. Goldenberg made a motion, seconded by Dr. Green, to grant the motion for Summary Suspension because respondent's continued practice of medicine represents a clear and immediate danger to public health and safety. The motion passed with all in favor except Dr. Gordon who was opposed and Dr. Wolf and Ms. Loving who abstained.

The hearing panelists in this matter will be Ms. Doremus, Rabbi Greer and hearing panelist Velandy Manohar, MD. The hearing will be scheduled for July 1, 2011.

VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson